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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/976,322	11/21/1997	KIMMO DJUPSJOBACKA	915-312	1733

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EXAMINER

BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 05/21/2002

71

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/976,322

Applicant(s)

DJUPSJOBACKA ET AL.

Examiner

Brown M. Reuben

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-6 & 10-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Terasawa, (U.S. Pat # 6,147,714).

Considering claims 1 & 19, the amended claimed method for addressing at least one service in a data communication system including at least one data transmission network for transmitting information in at least one data transmission stream, such that one or more service

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providers transmits services to one or more data transmission networks, wherein the services are assigned service ID data is met by Terasawa, (col. 8, lines 40-50), which discusses a service ID that is provided as a label for a particular service within a transport stream.

The amended claimed service ID identifying an original transmission network, reads on the disclosed original network ID (original_network_id(2)), see col. 8, lines 32-33. Also Terasawa more generally discloses a parameter, the Service Provider Item, discussed in Terasawa, (Fig. 13). The Service Provider identifies the provider, i.e. the original network that provides the particular service, col. 7, lines 58-62.

The claimed service ID identifying a transmission stream from the service provider reads on Terasawa, (col. 8, lines 28-34), which discusses the transport stream ID. Terasawa (col. 8, lines 40-50) meets the claimed service ID identifying the service within the stream.

As for the amended claimed feature of the textual globally individual name of services, this feature reads on the actual name of services that is displayed on the subscriber's screen and is thus selected by the user, (Fig. 4; Fig. 8; col. 7, lines 59-62).

Considering claim 2, the claimed method for addressing at least one service among plural services or for addressing at least *one service component*, recites method steps that correspond with subject matter rejected above in the analysis of claim 1, and is likewise analyzed.

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Considering claims 3 & 16, Terasawa utilizes DVB technology, col. 4, lines 62-67 & col. 7, lines 55-57.

Considering claims 4-5 & 17-18, Terasawa discloses that service name information is added to both a SDT table records and EIT table records, see col. 7, lines 55-67; col. 8, lines 1-67.

Considering claim 6, Terasawa discloses the use of the service_name and service_provider_name fields, col. 8, lines 61-67.

Considering claims 10-11, the claimed data communication system comprising at least one data transmission network for transmitting information on services in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Considering claims 12-13, the claimed broadcasting device for transmitting at least on service in a data communication system comprising at least one data transmission network for transmission of information in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

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Considering claims 14-15, the claimed receiver for receiving at least one service in a data communication system comprising at least one data transmission network for transmission of information in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa.

Considering claims 7-8, Terasawa does not mention the use of DSM-CC technology. Official Notice is taken that at the time the invention was made, DSM-CC technology was well known as a standard set of protocols for managing functions and operations of at least MPEG-1 & MPEG-2 bitstreams. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa with the features of DSM-CC technology, at least for the known benefits of increased command and control from a server to a client.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa, in view of Shoff, (U.S. Pat # 6,240,555).

Considering claim 9, Terasawa does not teach the use of URL addressing with respect to name information of an available service. Nevertheless, at the time the invention was made, such a technique was very well known in the art and is taught by Shoff, (Fig. 3; col. 5, lines 24-55; col. 6, lines 20-50). It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa with the technique of using URL addressing of services, for the desirable improvement providing the end user with access to a wider range of services, as taught by Shoff.

6. Claims 1-2 & 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney, (U.S. Pat # 5,867,207).

The claimed method for addressing at least one service in a data communication system including at least one data transmission network for transmitting information in at least one data transmission stream, such that one or more service providers transmits services to one or more data transmission networks, wherein the services are assigned service ID data is met by Chaney which teaches that transmitted services are identified by a unique SCID, col. 4, lines 15-25. Chaney discloses that a master program guide contains a Channel to Service Segment Map

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(CSSM) block and a Program Information Segment Map (PISM) block that contains links of program information that on each virtual channel described in a corresponding CSSM, col. 5, lines 33-45.

Thus discloses identifying the transmission stream and the service within the transmission stream, but does not discuss identifying the original network. Official Notice is taken that including the source ID on transmitted data was well known in the art, at the time the invention was made. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Chaney with the well-known technique of including source ID of data, at least for the known benefit of two-way communication. In two-way communication the source ID of transmitted data is needed in the order to for instance Request Resend of corrupted or not received data, and/or in order to return a client's upstream data to the proper source.

The claimed additionally amended feature of textual globally individual identifying names for services, reads on the name of the service the a user selects, see col. 5, lines 45-55. Moreover, in Chaney the service information is retrieved on the basis of a program name and its relation, link, pointer or correspondence with the instant service information, see col. 3, lines 25-40 & col. 6, lines 11-24.

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Considering claim 2, the claimed method for addressing at least one service among plural services or for addressing at least one service component, recites method steps that correspond with subject matter rejected above in the analysis of claim 1, and is likewise analyzed.

Considering claims 10-11, the claimed data communication system comprising at least one data transmission network for transmitting information on services in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Considering claims 12-13, the claimed broadcasting device for transmitting at least on service in a data communication system comprising at least one data transmission network for transmission of information in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Considering claims 14-15, the claimed receiver for receiving at least one service in a data communication system comprising at least one data transmission network for transmission of information in at least one data transmission stream, recites features that correspond with subject matter rejected above in the analysis of claims 1-2, and is likewise analyzed.

Response to Arguments

7. Applicant's arguments with respect to Chaney have been considered but are moot in view of the new ground(s) of rejection. Applicant argues on page 10, that Terasawa does not globally guarantee the service descriptor names. Examiner points out that applicant does not cite any portion of Terasawa or any other reference as evidence of this assertion. To the contrary, examiner asserts that the names used in Terasawa are valid for all the customers that receive the data, since Terasawa does not discuss a tiered system wherein the names of services are changed across the network. The names of programs listed in the EPG of Terasawa are indeed global, at least with respect to all the subscribers that receive the instant EPG.

With the respect to the URL data, discussed on page 11 with respect to Shoff, clearly URL data is designed to singularly identify a particular server or web site. The Internet would not operate properly if URL's identified multiple servers. Thus a URL by definition represents a textual globally individual identifying name. Furthermore examiner contends that the feature of identifying a service with a unique name was a very well known technique in the art of interactive services.

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Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 872-9314 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

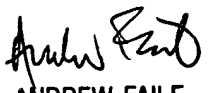
*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).*

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Brown M. Reuben whose telephone number is (703) 305-2399.
The examiner can normally be reached on M-F (8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Andrew I. Faile can be reached on (703) 305-4380. The fax phone numbers for the
organization where this application or proceeding is assigned is (703) 872-9314 for regular
communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is (703) 305-4700.

Reuben M. Brown


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600